Treasury Department,

BUREAU OF THE MINT,

Washington, D. C., November 2, 1888.

Hon. Daniel M. Fox,

Superintendent U. S. Mint,

Philadelphia.

Sir:

Yours of November 1, 1888, enclosing a letter from Mr. Jos. Wharton of date of October 29, is received.

The authority sent you on the 17th of October for the ac--ceptance of fifty thousand (50,000) pounds of Five-cent Nickel Blanks was intended to be in lieu of the authority sent you on the 11th of October for one hundred thousand (100,000) pounds, the contractor, under date of October 13 and 16, having protested, as it was understood, against further deliveries under the con--tract beyond the quantity of fifty thousand (50,000) pounds, to which he consented, as follows:

"For delivery from this date to the end of the year 1888 I am willing to supply to the Mint 50,000 lbs. of nickel-copper coin blanks like those hitherto furnished at the price of 42 1-10 cents per pound."

I must say that I do not understand Mr. Wharton's present position, especially under the circumstance that delivery of the smaller amount was called for under the contract in a spirit of

appreciation of the injustice, represented by him, in calling for deliveries in advance of actual requirements.

If, however, Mr. Wharton, as now appears, prefers to deliver one hundred and fifty thousand (150,000) pounds under the con--tract,--- fifty thousand (50,000) pounds before the first of January, 1889, and the remaining one hundred thousand (100,000) pounds at mutual convenience during the calendar year 1889,--- or, in other words, chooses to understand, as he seems to, that the later authority for fifty thousand (50,000) pounds was not a supersedure of the previous one for one hundred thousand (100,000), there will be no objection to that understanding.

I do not admit, however, that the authority given you for the amount specified by Mr. Wharton as the only amount he was willing to deliver under the contract, is in any way affected by the circumstance that this authority did not specify that it was in place of authority for the larger amount, to the delivery of which he strenously objected.

Respectfully yours,

Jas. P. Kimball

Director of the Mint.

Treas'y Dept.
Washington D.C.
November 2. '88

James. P. Kimball.
Director.

Authority sent on 17 of Oct for acceptance of 50.000 lbs of 5 cent nickel Blanks was intended in lieu of that sent on Oct 11. for 100.000 lbs X X.
Does not understand Mr Wharton's present position.

RECEIVED
NOV 3 1888
U.S. MINT, PHILA.

NARA RG104, Entry 1, Box 154

[Abstract:] Authority sent on 17 of Oct. for acceptance of 50,000 lbs of 5 cent nickel blanks…

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Respectfully yours, James P. Kimball, Director of the Mint.